

## **REMARKS**

Claims 1-21 remain pending in the instant application. All claims presently stand rejected. No claims are amended herein. Reconsideration of the pending claims is respectfully requested.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 1-5, 8-10, 12-14, 16-17 and 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boucher et al. (US Patent Publication US 2002/156927 A1) in view of Ziai et al. (7,017,042). The rejections are respectfully traversed.

Claims 6, 7, 15, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boucher et al. in view of Ziai and purported Admitted Prior Art. The rejections are respectfully traversed.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Independent claim 1 recites, in pertinent parts,

performing protocol processing at the offload engine **while leaving the message buffer in the host memory;**  
transmitting the message buffer in the form of at least one packet payload directly from the host memory to a network communication link, **without intermediate buffering** of the at least one packet payload **by the offload engine**, during transmission of packets by the offload engine.

Applicants respectfully submit that independent claim 1 is patentable for the two independent reasons discussed below.

#### Independent Reason #1

Firstly, the combination of Boucher and Ziai fails to disclose, teach, or suggest performing protocol processing at an offload engine **while leaving** the message buffer in host memory. The Office Action cites INIC/CPD 30 illustrated in FIG. 2 of Boucher as corresponding to the claimed “offload engine” (which includes processor 55 as

illustrated in FIG. 5) and cites the communication control block (CCB) as corresponding to the claimed message contexts. However, Boucher discloses,

Guided by the CCB, the processor 55 moves network frame-sized portions of the data from the source in host memory 35 into its own memory 60 using DMA, as depicted by arrow 99. The processor 55 then prepends appropriate headers and checksums to the data portions, and transmits the resulting frames to the network 25, consistent with the restrictions of the associated protocols.

*Boucher*, para. [0049]. This portion of Boucher fails to teach or suggest performing protocol processing within CPD 30 while leaving the frame-sized portions of the data in host memory 35. Thus, Boucher fails to teach or suggest performing protocol processing at an offload engine **while leaving** the message buffer in host memory.

Similarly, Ziai also fails to teach or suggest the very same element. In fact, Ziai discloses,

Referring to FIGS. 3a and 3c, outbound IP packets begin as application data within the system memory 307. The **application data is then transferred (e.g. via Direct Memory Access) 301c by the system CPU/chipset 306 to the TCP/IP processors 305** (e.g., by writing the application data into the NOM 304 from the CPU/chipset 306 and reading the application data from the NOM 304 by the TCP/IP processors 305). **In alternate embodiments the application data may be written into the outbound network interface 301. Then, the TCP/IP processors 305 perform TCP/IP processing 302c on the application data.** In the outbound direction, TCP/IP processing is the addition of the TCP header 102 at the transport layer 109 and the addition of the first IP header 103 at the network layer 110, consistent with the TCP and IP protocols. **In the outbound direction, TCP/IP processing results in the creation of an IP packet.** In addition, the IP packet is checked to determine if IPsec processing is required. Thus, after TCP/IP processing, an IP packet is stored in NOM 304. In alternate embodiments the IP packet may be sent to the outbound network interface 301.

*Ziai*, col. 5, lines 4-23. This portion of Ziai teaches that an IP packet is not created until TCP/IP processing is performed and further that TCP/IP processing is not performed until after application data is transferred from system memory 307 into network protocol offload chip 300. Even in the disclosed “alternative embodiment” where the application data is buffered in network interface 301, Ziai still discloses that TCP/IP processing to create an IP packet is not performed until after application data is transferred into

network protocol offload chip 300. Consequently, Ziai also fails to teach or suggest performing protocol processing at an offload engine **while leaving** the message buffer in host memory, where the message buffer stores the “packet payload.”

Independent Reason #2

Secondly, the combination of Boucher and Ziai fails to disclose, teach, or suggest transmitting a message buffer directly from host memory to a network communication link without intermediate buffering by an offload engine. The Office Action acknowledges that “Boucher et al. did not expressly teach without having intermediate buffering of the payload in the offload engine.” *Office Action* mailed 5/23/08, page 2. Consequently, the Office Action cites Ziai as teaching this missing element. Ziai in fact discloses,

Referring to FIGS. 3a and 3c, **outbound IP packets begin as application data within the system memory 307**. The application data is then transferred (e.g. via Direct Memory Access) 301c by the system CPU/chipset 306 to the TCP/IP processors 305 (e.g., by writing the **application data** into the NOM 304 from the CPU/chipset 306 and reading the application data from the NOM 304 by the TCP/IP processors 305). In alternate embodiments the **application data** may be written into the outbound network interface 301. **Then, the TCP/IP processors 305 perform TCP/IP processing 302c on the application data.** In the outbound direction, TCP/IP processing is the addition of the TCP header 102 at the transport layer 109 and the addition of the first IP header 103 at the network layer 110, consistent with the TCP and IP protocols. **In the outbound direction, TCP/IP processing results in the creation of an IP packet.** In addition, the IP packet is checked to determine if IPSec processing is required. Thus, after TCP/IP processing, an **IP packet** is stored in NOM 304. In alternate embodiments the **IP packet** may be sent to the outbound network interface 301.

Ziai, col. 5, lines 4-23. Accordingly, this portion of Ziai discloses that IP packets are only created after “application data” is transferred and buffered either in network offload memory 304 or network interface 301 of network protocol offload chip 300 (see FIG. 3A of Ziai). Once the application data has been transferred into TCP/IP processing is performed to create an IP packet, which is subsequently sent. Consequently, Ziai discloses a technique where application data is **intermediately buffered by network protocol offload chip 300** (i.e., either within network offload memory 304 or within network interface 301).

Consequently, the combination of Boucher and Ziai fails to teach or suggest all elements of claim 1, as required under M.P.E.P. § 2143.03. Independent claims 9, 14, and 17 each include one or both nonobvious elements as independent claim 1.

Accordingly, Applicants request that the instant §103(a) rejections of claims 1, 9, 14, and 17 be withdrawn.

The dependent claims are nonobvious over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103 rejections of the dependent claims be withdrawn.

### **CONCLUSION**

In view of the foregoing remarks, it is believed that the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

### **CHARGE DEPOSIT ACCOUNT**

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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Date: July 11, 2008

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